



Eric Gonzalez
District Attorney

**DISTRICT ATTORNEY
KINGS COUNTY**

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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: **DAVID ESPARRAGOZA**

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 02/24/15, AGAINST MOS ESPARRAGOZA: ALLEGATION(S): DISPUTED ARREST; MEMO BOOK IMPROPER/INCOMPLETE.

ON TUESDAY, FEBRUARY 24, 2015, AT APPROXIMATELY 2205, OFFICER ESPARRAGOZA WAS AT A LOCATION KNOWN TO THE DEPARTMENT AT WHICH TIME HE STOPPED A VEHICLE AND ARRESTED AN INDIVIDUAL KNOWN TO THE DEPARTMENT AND CHARGED HIM WITH CPCS SEVENTH DEGREE FOR BEING IN POSSESSION OF A VIAGRA PILL. THIS ARREST WAS DISMISSED AT ARRAIGNMENT BECAUSE VIAGRA IS NOT A CONTROLLED SUBSTANCE LISTED IN THE PENAL LAW. OFFICER ESPARRAGOZA STATED DURING HIS P.G. THAT HE DID NOT LOOK UP THE CHARGE OF CPCS SEVENTH DEGREE IN THE PENAL LAW TO ENSURE HE HAD A VALID ARREST WHILE PROCESSING THE ARREST, NOR DID HE ATTEMPT TO IDENTIFY THE PILL AT THE PRECINCT BY ITS DESCRIPTION, COLOR OR NUMBERS ON THE PILL. OFFICER ESPARRAGOZA STATED THAT HE DROVE THE ARRESTED INDIVIDUAL KNOWN TO THE DEPARTMENT'S VEHICLE INTO THE STATION HOUSE AND PARKED IT IN AN AREA RESERVED FOR POLICE VEHICLES. AS A RESULT, THE INDIVIDUAL KNOWN TO THE DEPARTMENT RECEIVED A SUMMONS. OFFICER ESPARRAGOZA WAS CONTACTED BY THE INDIVIDUAL KNOWN TO THE DEPARTMENT ABOUT RECEIVING THE SUMMONS. AS A RESULT, OFFICER ESPARRAGOZA TOOK THE SUMMONS, WENT DOWN TO COURT, AND PAID THE FINE. OFFICER ESPARRAGOZA'S MEMO BOOK DOES NOT HAVE A MEAL TIME ENTERED FOR THAT DAY, WHO THE OPERATOR OR RECORDER WAS, THE NUMBER OF OCCUPANTS IN THE CAR WHICH HE HAD STOPPED, THE OCCUPANTS' PEDIGREE INFORMATION, THE BASIS FOR THE VEHICLE STOP, THE NAME OF THE SUPERVISOR THAT VERIFIED THE ARREST AT THE SCENE, TRANSPORTING THE CAR INTO THE STATION HOUSE, TALKING TO THE INDIVIDUAL KNOWN TO THE DEPARTMENT ABOUT THE SUMMONS, TAKING POSSESSION OF THE SUMMONS, GOING TO COURT FOR THE SUMMONS, OR PAYING THE FINE.

ACTION TAKEN: 'B' COMMAND DISCIPLINE ISSUED; FORFEITURE OF SIX HOURS

Disclosure # 2:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Earl McLeod	15-CV-4985	E.D.N.Y.	8-25-15	1-21-16	Settlement, without admission of fault or liability

**BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE
UNAWARE OF ANY PENDING AND OR SUBSTANTIATED CCRB ALLEGATIONS AGAINST THIS OFFICER.**

Eric Gonzalez
District Attorney
Kings County